

REMARKS

Applicants have thoroughly considered the Office action mailed on February 24, 2006. To date, no Office action has indicated that the formal drawings have been accepted. Applicants respectfully request that the Examiner confirm that the drawings are acceptable. Claims 1-7, 9-16 and 18-22 are presented in the application for further examination. Claim 1 has been amended by this Amendment C. Reconsideration of the application claims as amended and in view of the following remarks is respectfully requested.

Claim Objections

Claim 1 stands objected to because the Examiner asserts it is unclear whether the data is received from the participants' one video stream or participants, one video stream. Claim 1 has been amended to recite "selecting from the received multimedia conferencing data a video stream corresponding to the identified participant having the highest weight for viewing by the client". Therefore, the objection to claim should be withdrawn.

Claim Rejections under 35 U.S.C. § 103

Claims 1-7, 9-16, and 18-22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sandvoss et al. U.S. Pat. No. 5,745,380 (Sandvoss) in view of Weisman et al. U.S. Pat. No. 6,839,417 (Weisman).

Sandvoss discloses teleconferencing where the multimedia streams where only the highest priority level streams are actively transmitted. In particular, Sandvoss et al. teaches that the weight used to determine priority is calculated from substream signals that are input to a process. (Sandvoss, Column 3, Lines 53-58). The Examiner, on page 3 of the Office action, concedes that Sandvoss does not indicate "providing a participant state table indicating an activity state variable for each participant" as recited in independent claims 1, 10 and 21.

With respect to Weisman, the Examiner asserts that the reference teaches "providing a participant state table indicating an activity state variable for each participant". However, according to MPEP § 2141.01 I, "subject matter that is prior

under 35 U.S.C. 102 can be used to support a rejection under 103"; and, Weisman is **not** prior under any section of 35 U.S.C. 102. The present application has a filing date of August 16, 2001, **before** Weisman's filing date of Sept. 10, 2002, publication date of March 11, 2004 and issue date January 4, 2005. Furthermore, Weisman does not claim priority from another application. Therefore, Weisman cannot be used to support the 103(a) rejection of the claims; thus, the rejection of claims 1-7, 9-16, and 18-22 should be withdrawn.

CONCLUSION

It is felt that a full and complete response has been made to the Office action and, as such, places the application in condition for allowance. Such allowance is hereby respectfully requested. Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited invention.

If the Examiner deems the claims to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the claims in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink that reads "Frank R. Agovino". The signature is written in a cursive, flowing style.

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